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Attorneys for Defendant
ASSET ACCEPTANCE, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

PAUL ALLEN GARCIA, KIRAH-
SHANTEL GARCIA, KEANE
BOBBY BRAUN,

Plaintiffs,

vs.

STATE OF HAWAII, JUDGE
KATHLEEN WATANABE, JUDGE
RANDAL VALENCIANO,
JONATHAN J. CHUN, LORNA A.
NISHIMITSU, BELLES GRAHAM
LLP, PETER T. STONE; DAISY
LYNN B. HARTSFIELD; ANYA M.
PEREZ; JENNY J.N.A. NAKAMOTO;
SUN YOUNG PARK; ROBIN LYN
MILLER; STEPHEN J. TRIMBLE;
KEONE WAYNE SOUZA; TMLF
HAWAII, LLC; PENNYMAC
CORP.; GARY VICTOR DUBIN,
DUBIN LAW FIRM, KEN OHARA,

CIVIL NO. 22-00432 JMS-KJM

DEFENDANT ASSET
ACCEPTANCE, LLC'S
SUBSTANTIVE JOINDER TO
DEFENDANT PENNYMAC CORP.'S
MOTION TO DISMISS AMENDED
COMPLAINT FILED FEBRUARY 9,
2023 [DKT. 11] AND AMENDED
COMPLAINT FILED MARCH 14,
2023 [DKT. 18], FILED MAY 3, 2023
[DKT. 91]; DECLARATION OF
DAVID J. MINKIN; CERTIFICATE
OF SERVICE

DAVID MCALLISTER, DANIEL
ALAN ROSS, ZACHARY K.
KONDO, ALDRIDGE PITE LLP,
HILL WALLACK LLP, SN
SERVICING CORP., ERIC A.
BRAUN, 1900 CAPITAL TRUST III
BY US BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY BUT
SOLELY AS CERTIFICATE
TRUSTEE, ASSOCIATION OF
APARTMENT OWNERS OF
KAWAIKINI ESTATES, ASSET
ACCEPTANCE, CAPITAL ONE N.A.,
TITLE GUARANTY OF HAWAII,
HONOLULU INFORMATION
SERVICE, INC. DBA HONINFO,
FIDELITY NATIONAL TITLE
INSURANCE COMPANY, BROOKS
R. BRAUN, ROBERT L. SOARES
JR., DEREK W.C. WONG, LLC,
COUNTY OF KAUAI –
DEPARTMENT OF WATER, JASON
COTTON, ESQ., THE MORTGAGE
LAW FIRM, JOHN DOES 1-20; JANE
DOES 1-20; DOE CORPORATIONS
1-20; DOE ENTITIES 1-20; AND
DOE GOVERNMENTAL UNITS 1-
20,

Defendants.

DEFENDANT ASSET ACCEPTANCE, LLC’S
 SUBSTANTIVE JOINDER TO DEFENDANT PENNYMAC
 CORP.’S MOTION TO DISMISS AMENDED COMPLAINT FILED
 FEBRUARY 9, 2023 [DKT. 11] AND AMENDED COMPLAINT
FILED MARCH 14, 2023 [DKT. 18], FILED MAY 3, 2023 [DKT. 91]

Defendant ASSET ACCEPTANCE, LLC (“*Asset*”), through its counsel, McCorriston Miller Mukai MacKinnon LLP, hereby joins substantively in Defendant PENNYMAC CORP.’s (“*PennyMac*”) Motion to Dismiss Amended Complaint Filed February 9, 2023 [Dkt. 11] and Amended Complaint Filed March 14, 2023 [Dkt. 18], filed on May 3, 2023, Dkt. 91 (“*PennyMac’s Motion to Dismiss*”). Asset incorporates by reference the arguments and legal support referenced and set forth in PennyMac’s Motion to Dismiss, the memorandum in support of PennyMac’s Motion to Dismiss, and PennyMac’s Reply Memorandum in Support of Its Motion To Dismiss Filed May 3, 2023 [Dkt. 91], filed on May 31, 2023, Dkt. 103 (“*PennyMac’s Reply Memorandum*”).

Pro Se Plaintiffs PAUL ALLEN GARCIA, KIRAH-SHANTTEL GARCIA, and KEANE BOBBY BRAUN (“*Plaintiffs*”) filed their Amended Complaint on March 14, 2023, Dkt. 18 (“*Amended Complaint*”). Similar to Plaintiffs’ Complaint, filed on September 30, 2022, Dkt. 1 (“*Complaint*”), the Amended Complaint does not contain any specific factual allegations or claims/causes of action as against Asset. To the extent Plaintiffs asserted any specific factual allegations or claims/causes of action against any named defendant at all, they did

not assert those factual allegations or claims/causes of action against Asset. The Amended Complaint's only reference to Asset is at paragraph 60, subparagraph (ae), which merely states: "The thirtieth defendant is ASSET ACCEPTANCE, Third Party Debt Collector." Dkt. 18 at 13.

Asset files this substantive joinder to PennyMac's Motion to Dismiss pursuant to Rules 7, 8, 9(b), and 12(b)(6) of the Federal Rules of Civil Procedure and Local Rule 7.7 of the Local Rules of Practice for the United States District Court for the District of Hawaii and is also supported by the declaration of counsel attached hereto and the records and files herein, in addition to PennyMac's Motion to Dismiss, memorandum in support, and PennyMac's Reply Memorandum.

DATED: Honolulu, Hawai'i, June 6, 2023.

/s/ David J. Minkin

DAVID J. MINKIN

JORDAN K. INAFUKU

Attorneys for Defendant

ASSET ACCEPTANCE, LLC